

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Claims 1-5 are pending in the application, of which claim 1 is independent. In the Office Action dated April 18, 2005, the Examiner rejected claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,505,652 ("*Matsushima*") in view of U.S. Patent No. 6,006,552 ("*Matsuda*").

In response, Applicant has amended independent claim 1 to more particularly define the present invention. No new subject matter has been added. Support for the amendments may be found, for example, at page 10, lines 10-19, and at page 11, lines 2-8. Applicant respectfully traverses the Examiner's rejections.

In the rejection of claim 1, the Examiner contended that *Matsushima* shows every element of claim 1 except the features specifying (a) "wherein a foundation warp used for said tape main portion has a lower thermal contraction coefficient than warps used for said element-mounting edge portion," and (b) "said tape main portion-has a thermal contraction coefficient higher than the foundation warp used for said tape main portion and lower than said core string and other warp of said element mounting edge portion, wherein said core string has a higher thermal contraction coefficient than all warps." Office Action, page 3. Applicant agrees with the Examiner that *Matsushima* fails to show or suggest the above features (a) and (b). Applicant additionally submits that *Matsushima* also fails to show, teach, or suggest the features reciting that (c) "wherein a core string is woven into the element-mounting edge portion" and (d) "wherein a warp of said element-mount edge portion is disposed adjacent to said core string at an inner

side where said tape main portion extends towards said second edge portion,” as required by amended claim 1.

The Examiner, in asserting that *Matsushima* shows feature (c) above, equates core string 9 of *Matsushima* to Applicant’s “core string [that] is woven into the element-mounting edge portion.” Office Action, page 3. Contrary to the Examiner assertion, Applicant submit that *Matsushima*’s core string 9 fails to disclose a core string as required by amended claim 1, at least because core string 9 is specifically described as being “inserted through the coil-shaped fastener element 14 so as to form a coil-shaped fastener element row 15,” where the fastener element row 15 is then “sewed onto the fastener tape 1 with multi-thread chain stitch by a sewing machine.” Col. 3, line 66 to Col. 4, line 1 and Col. 4, lines 6-8. In correspondence with the above description, Fig. 2 of *Matsushima* clearly depicts core string 9 as being inserted into a fastener element that is positioned above the fastener tape 1 and not “woven into the element-mounting edge portion” of a slide fastener tape, as required by amended claim 1. Therefore, *Matsushima* at least fails to show or suggest feature (c) of amended claim 1.

The Examiner, in asserting that *Matsushima* shows feature (d) above, equates the flexible yarns 6 of *Matsushima* to Applicant’s “warp of said element-mounting edge portion [that] is disposed adjacent to said core string at an inner side where said tape main portion extends towards said second edge portion.” Contrary to the Examiner’s assertion, flexible yarns 6 of *Matsushima* fails to disclose the warp of feature (d). As described above, the warp of feature (d) is “a warp of said element-mounting edge portion [that] is disposed adjacent to said core string,” which is also woven into the element-mounting edge portion. The disposition of the warp relative to the core string is

further described as being “at an inner side where said tape main portion extends towards said second edge portion.” *Matsushima* fails to show, teach, or suggest a core string that is woven into a fastener tape. Therefore, *Matsushima* does not show “a warp of said element-mounting edge portion [that] is disposed adjacent to said core string,” which is also of the element-mounting edge portion. In addition, Fig. 2 of *Matsushima* shows that core string 9 as being inserted into a fastener element 14, which is disposed above flexible yarns 6. No other possible arrangement of core string 9 and flexible yarns 6 is discussed in *Matsushima*. Thus, *Matsushima* also fails to show, teach, or suggest disposing the warp of the element-mounting portion “adjacent to said core string at an inner side where said tape main portion extends towards said second edge portion,” as required by amended claim 1. Accordingly, *Matsushima* at least fails to show, teach, or suggest feature (d) of amended claim 1.

The Examiner relied on *Matsuda* to cure the deficiencies of *Matsushima*. Specifically, the Examiner in conceding that *Matsushima* fails to show or suggest (a) “wherein a foundation warp used for said tape main portion has a lower thermal contraction coefficient than warps used for said element-mounting edge portion,” and (b) “said tape main portion-has a thermal contraction coefficient higher than the foundation warp used for said tape main portion and lower than said core string and other warp of said element mounting edge portion, wherein said core string has a higher thermal contraction coefficient than all warps,” relied on *Matsuda* to show these elements. Office Action, page 3. Applicant submits that there is no motivation to combine *Matsushima* with *Matsuda*. More specifically, *Matsuda* is directed to a warp-knit slide fastener that fails to show or suggest a core string of any kind. Without any

disclosure or suggestion of a core string, *Matsuda* cannot possibly cure *Matsushima*'s lack of disclosure or suggestion of the features including, for example, "said core string has a higher thermal contraction coefficient than all warps," as required by amended claim 1. Accordingly, there cannot possibly be any motivation to combine *Matsushima* with *Matsuda* to anticipate Applicant's amended claim 1.

Applicant additionally submits that even when combined, the combination of *Matsuda* and *Matsushima* at least fails to show or suggest (b) "said tape main portion- has a thermal contraction coefficient higher than the foundation warp used for said tape main portion and lower than said core string and other warp of said element mounting edge portion, wherein said core string has a higher thermal contraction coefficient than all warps," (c) "wherein a core string is woven into the element-mounting edge portion" and (d) "wherein a warp of said element-mount edge portion is disposed adjacent to said core string at an inner side of said element-mounting portion where said tape main portion extends towards said second edge portion," as required by amended claim 1.

Accordingly, at least because there is no motivation to combine *Matsuda* and *Matsushima* and because, even when combined, the combination of *Matsuda* and *Matsushima* fails to show, teach, or suggest each and every element of the amended claim 1, amended claim 1 is patentable over the combination of *Matsuda* and *Matsushima* under 35 U.S.C. § 103(a). Claims 2-5 depend from claim 1 and are, therefore, also novel and patentable over the combination of *Matsuda* and *Matsushima* under 35 U.S.C. § 103(a) for at least the same reasons.

Applicant submits that entry of the amendments would place the application in better form for appeal, should the Examiner dispute the patentability of the pending

claims as amended. In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

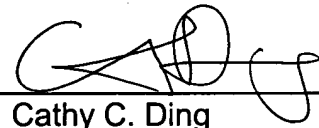
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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Dated: August 18, 2005

By: \_\_\_\_\_

  
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